

FILED

NOV 01 2005

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

BARRY J. PORTMAN
Federal Public Defender
HILARY A. FOX
Assistant Federal Public Defender
555 12th Street, Suite 650
Oakland, CA 94607
Tel: (510) 637-3500
Counsel for Defendant RAFAEL

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,

v.

MANUEL RAFAEL,
Defendant.

No. CR 05-0352-DLJ

STIPULATION AND [PROPOSED]
ORDER TO CONTINUE
SENTENCING DATE

Date: November 4, 2005
Time: 10:00 a.m.
Court: Hon. D. Lowell Jensen
U.S. District Court

Defendant Manuel Rafael is currently scheduled to appear for sentencing on November 4, 2005, at 10:00 a.m. At this time, the parties have not yet completed all of the sentencing preparations. In order to afford additional time for the parties to complete sentencing preparations, the parties submit this stipulation jointly to request that the sentencing hearing be continued until January 6, 2006, at 10:00 a.m. Mr. Rafael is out of custody and has no objection to this continuance. The Probation Officer has no objection to the proposed continuance and will be available on January 6, 2006.

SO STIPULATED.

Dated: November 1, 2005

/S/

MERRY JEAN CHAN
Assistant United States Attorney

1 SO STIPULATED.

2 Dated: November 1, 2005

/S/

3 HILARY A. FOX
4 Attorney for Defendant RAFAEL
5
6

7 SIGNATURE ATTESTATION

8 I hereby attest that I have on file all holograph signatures indicated by a "conformed"
9 signature ("/S/") within this efiled document.

10 Dated: November 1, 2005

/S/

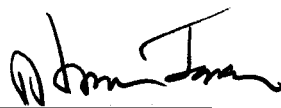
11 MARILEE BARBEAU
12 Legal Secretary
13
14
15

16 ORDER

17 Good cause appearing therefore, and pursuant to the stipulation of the parties, it is the
18 ORDER of this Court that the sentencing hearing currently scheduled for November 4, 2005, shall
19 be continued until January 6, 2006, at 10:00 a.m.
20

21 IT IS SO ORDERED.

22 Dated: Nov 1, 2005

23 
24 D. LOWELL JENSEN
25 United States District Court
26